

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PATRICK BERRIOS DESIGNS, INC.,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	
	§	
ARTHUR MONROE CONSTRUCTION,	§	CIVIL ACTION NO. H-05-3633
L.L.C.,	§	
ARTHUR MONROE,	§	
and	§	
VIVIAN MONROE,	§	
	§	
Defendants.	§	

MEMORANDUM AND ORDER

Pending before the Court are Plaintiff's motions to compel discovery and for a permanent injunction. Pursuant to the parties' representations at the hearing held on Thursday, April 20, 2006, it appears that Plaintiff is now in possession of all existing documentary evidence and that the sale of the allegedly infringing house, which Plaintiff had hoped to prevent, has already taken place. Accordingly, the motions, Docket Nos. 19 and 20, are hereby **DENIED AS MOOT**. Plaintiff is hereby **GRANTED** permission to amend its Complaint to include additional Defendants. Defense counsel is hereby **GRANTED** permission to withdraw from the case. Defendant Arthur Monroe Construction, L.L.C. is hereby **ORDERED** to enter an appearance through counsel within ten (10) days of the issuance of this Memorandum and Order.

The issue of whether sanctions should be imposed against any of the Defendants or against their withdrawing counsel will be deferred at least until discovery has been completed.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 24th day of April, 2006.

A handwritten signature in dark ink, appearing to read "Keith P. Ellison", written over a horizontal line.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**